

IN RE: PETITION FOR RESIDENTIAL	* BEFORE THE
ZONING VARIANCE	
E/S Chapman Road, 600 ft. +/-f	* ZONING COMMISSIONER
S of c/l Redstone Road	
11817 Chapman Road	* OF BALTIMORE COUNTY
11th Election District	
5th Councilmanic District	* Case No. 95-487-A
Gregory S. McVey, et ux	
Petitioners	*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Gregory S. McVey and Carol C. McVey, his wife, for that property known as 11817 Chapman Road in the Kingsville section of Baltimore County. The Petitioners/property owners herein seek a variance from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (BCZR) to permit a side yard setback of 37 ft., in lieu of the required 50 ft., for an addition, in an R.C.5 zone. The property and relief sought are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should, therefore, be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of

ORDER RECEIVED FOR FILING

Date

By

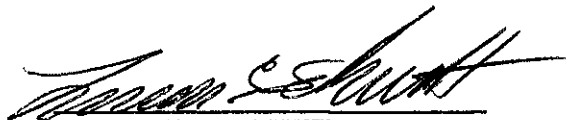
MICROFILMED

Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 27th day of July, 1995 that the Petition for a Zoning Variance from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (BCZR) to permit a side yard setback of 37 ft., in lieu of the required 50 ft., for an addition, be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmn

ORDER RECORDED FOR FILING
Date 7/27/95
By M. Moran

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

July 27, 1995

Mr. and Mrs. Gregory S. McVey
11817 Chapman Road
Kingsville, Maryland 21087

RE: Case No. 95-487-A
Petition for Administrative Zoning Variance
Property: 11817 Chapman Road

Dear Mr. and Mrs. McVey:

Enclosed please find the decision rendered in the above captioned case. The Petition for Zoning Variance has been granted, with restriction.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Lawrence E. Schmidt".

Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
att.





Petition for Administrative Variance

95-487-A

to the Zoning Commissioner of Baltimore County

for the property located at 11817 CHAPMAN RD

which is presently zoned R.C.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1 A09, 3. B. 3 ; BCER, To

PERMIT A SIDEYARD SETBACK OF 37' FOR A BEDROOM ADDITION IN LIEU OF THE REQUIRED 50'

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

See Reverse

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City State Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address Phone No

City State Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s).

CAROL C. McVEY

(Type or Print Name)

Signature

GREGORY SCOTT McVEY

(Type or Print Name)

Signature

11817 CHAPMAN RD 592-8306

Address

Phone No

KINGSVILLE MD 21087

City

State

Zipcode

Name, Address and phone number of representative to be contacted

CAROL McVEY

Name

SAME

Address

Phone No

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ____ day of _____, 19____, that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.

Zoning Commissioner of Baltimore County

REVIEWED BY: JCM

DATE: 6-28-95

ESTIMATED POSTING DATE: 7/9

Printed with Soybean Ink
on Recycled Paper

ITEM #: 492

MICROFILMED

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 11817 CHAPMAN RD
address
KINGSVILLE MD 21087
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (Indicate hardship or practical difficulty)

SEE ATTACHED SHEET

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Carol C. McVey
(signature)
CAROL C. McVEY
(type or print name)



Gregory Scott McVey
(signature)
GREGORY SCOTT McVEY
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 2 day of June, 1995, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

CAROL C. McVEY and GREGORY SCOTT McVEY

the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiantt(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

6/2/95
date

George T. Jenkins
NOTARY PUBLIC
My Commission Expires: 4/1/97

MICROFILMED

Attached Sheet: Petition for Zoning Variance -11817 Chapman Rd.

This is a request to impede upon the side yard set back at 11817 Chapman Road. Part of the proposed single story addition will need to go into the 50' set back area for a distance of 13' *.

* Please note that the existing house is at an angle to the set back line. Therefore only a triangular shaped area of the addition will need to sit within the restricted tract - not the entire addition. The total square footage that will be within the zone is approximately 136 square feet.

The following are the reasons for this petition:

1. Due to accessibility and medical problems of the owner's live-in elderly father, the proposed addition (primarily elderly bedroom and bathing areas) must maintain the same level as the existing dining and living areas.
2. The owner herself, Carol McVey, will be retiring soon and must have the house accessible in her later years.
3. If the addition is placed on the rear yard, the existing well and well-room will need to be demolished and relocated. The well and well room directly abuts the existing rear of the house and is accessed from the basement.
4. The elderly parent's need for times of quiet makes it important that the proposed bedroom and bathroom addition (north side of addition) be acoustically separate from noise that might be generated in the family areas. The configuration of the existing house is such that the more noisy areas (kitchen, backyard, dining, and family areas) are on the south side of the house. The proposed bedroom will be located on the northern side of the house - separate from potential noises.
5. The access door to the garage faces the rear of the house. Access to and from this door requires space for maneuvering and must be maintained. The clearance for this is 6 feet from the face of the garage wall.
6. The backyard, which is used for the family pets and family gatherings must be maintained. The backyard, which is currently sheltered, shady, and private, is very important and necessary at the house. Building into this area would eliminate any private and secluded yard.
7. If the addition were to be built in the rear yard, the view 5 -10 feet from the rear window would be a view filled with the garage roof. The slope of the ground, the height of the floor in the existing house, and the height of the garage roof contribute to this undesirable and avoidable view.

11817 Chapman Road

**LOCATION:
KINGSVILLE**

492

11/16/2011

95-487-A

Zoning Description for 11817 Chapman Road

Beginning east side of Chapman Road which is a 30 foot right of way which is 600+/- feet south of the centerline of Redstone Road, which is 24' wide/ 60' R/W

As recorded in Liber No. 10906, folio 702, as follows, viz:

North 75 degrees 29 minutes 15 seconds East 377.25 feet
South 05 degrees 52 minutes 22 seconds West 216.50 feet
South 79 degrees 11 minutes 40 seconds West 374.83 feet
North 07 degrees 29 minutes 15 seconds East 193.16 feet
to the point of beginning.

Containing 1.78 +/- acres of land.

Also known as 11817 Chapman Road in the

Election District 11th

Councilmanic District 5th

11817 Chapman Road

**LOCATION:
KINGSVILLE**

492

1000000000

95-487-A

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 14th

Date of Posting 7/8/95

Posted for: Variance

Petitioner: Lord & Gregory McJoy

Location of property: 11817 Chapman Rd, E/S

Location of Signs: Facing roadway on property being zoned

Remarks: _____

Posted by [Signature] Date of return: 7/14/95
Signature

Number of Signs: 1



RECEIVED

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 52815

112-4492

DATE 6-25-75 ACCOUNT _____

AMOUNT \$ 85.00

RECEIVED FROM: Carol McVey

11817 CHAPMAN RD.

MICROFILMED

FOR: Admin Unit 50.00

POSTAGE 35.00

02402/0096 PPA CHRG

\$85.00

MD. CIVIL SERVICE 4/28/75

VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

JCM

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 492

Petitioner: CAROL McVEY

Location: 11817 Chapman Rd. Kingsville, Md. 21087

PLEASE FORWARD ADVERTISING BILL TO:

NAME: _____

ADDRESS: Lane

PHONE NUMBER: 592-8306

MICROFILMED

AJ:ggs

(Revised 04/09/93)



Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

July 13, 1995

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 95-487-A (Item 492)
11817 Chapman Road
E/S Chapman Road, 600' +/- S. of c/l Redstone Road
11th Election District - 5th Councilmanic

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

- 1) Your property should have been posted on or before July 9, 1995. The closing date (July 24, 1995) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.
- 2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).
- 3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director
Department of Permits and Development Management

cc: Carol and Gregory McVey

MICROFILMED

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

July 20, 1995

Mr. and Mrs. Gregory S. McVey
11817 Chapman Road
Kingsville, Maryland 21087

RE: Item No.: 492
Case No.: 95-487-A
Petitioner: G. S. McVey, et ux

Dear Mr. and Mrs. McVey:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on June 28, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

A handwritten signature in dark ink, appearing to read "W. Carl Richards, Jr.", written over a horizontal line.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: July 12, 1995

FROM: Pat Keller, Director
Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):

Item Nos. 479, 481, 484, 491, 492, 495, 4, and 6. 7

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by:

Division Chief:

PK/JL

RECEIVED



Maryland Department of Transportation
State Highway Administration

Hal Kassoff
Administrator

7-7-95

Ms. Joyce Watson
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: 492 (JLM)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

for

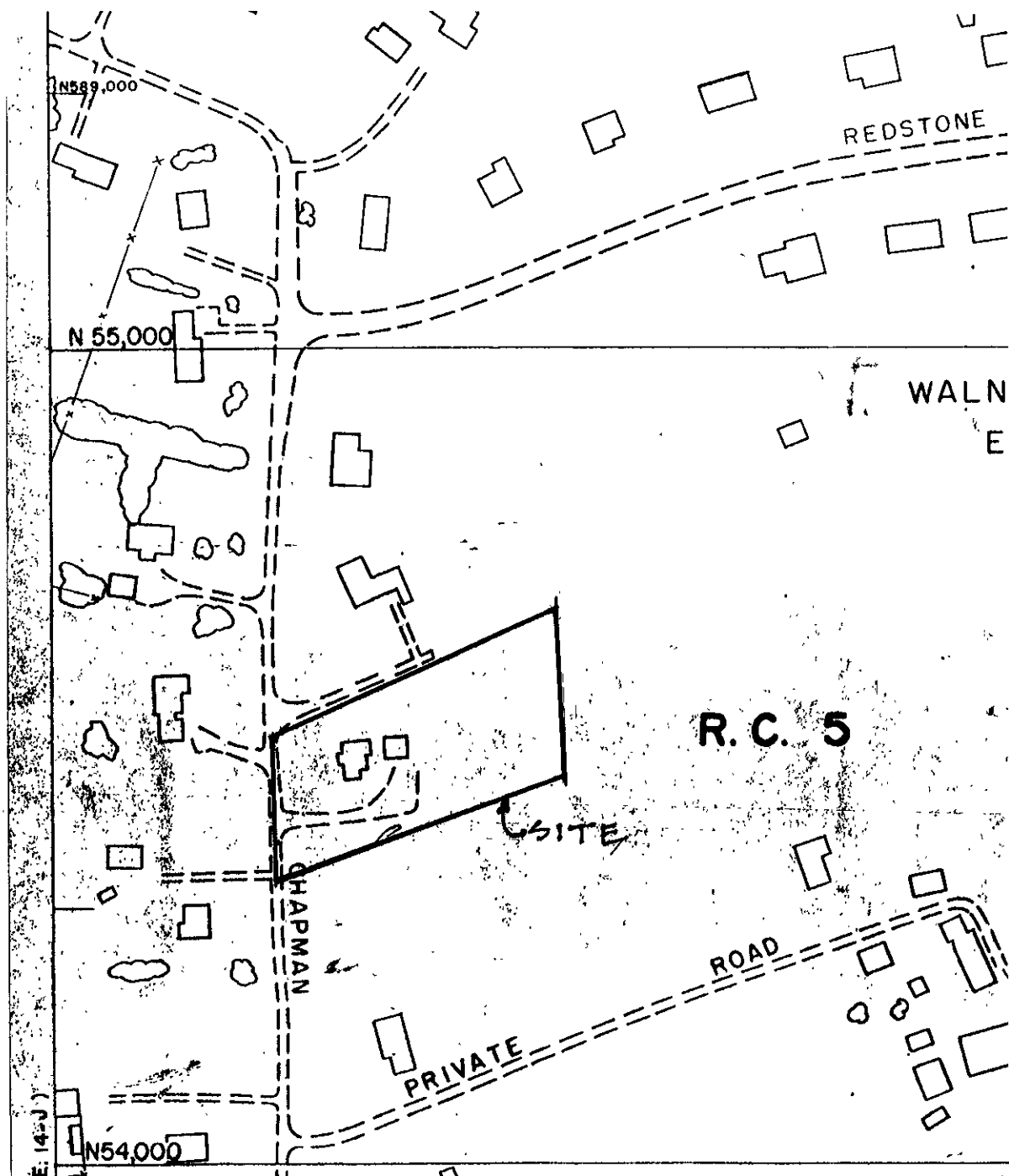
Ronald Burns, Chief
Engineering Access Permits
Division

BS/

MICROFILMED

Zoning Map 11817 Chapman Road

95-487-A



SCALE: 1" = 200'

DATE OF
PHOTOGRAPHY
JANUARY 1986

LOCATION:

KINGSVILLE

SHEET

N.E.
14 - K

492

95-487-A

Aerial Photograph 11817 Chapman Road



SCALE: 1" = 200'

DATE OF
PHOTOGRAPHY
JANUARY 1986

LOCATION:

KINGSVILLE

SHEET

N.E.
14 - K

UNRECORDED

492

Plat to accompany Petition for Zoning Variance

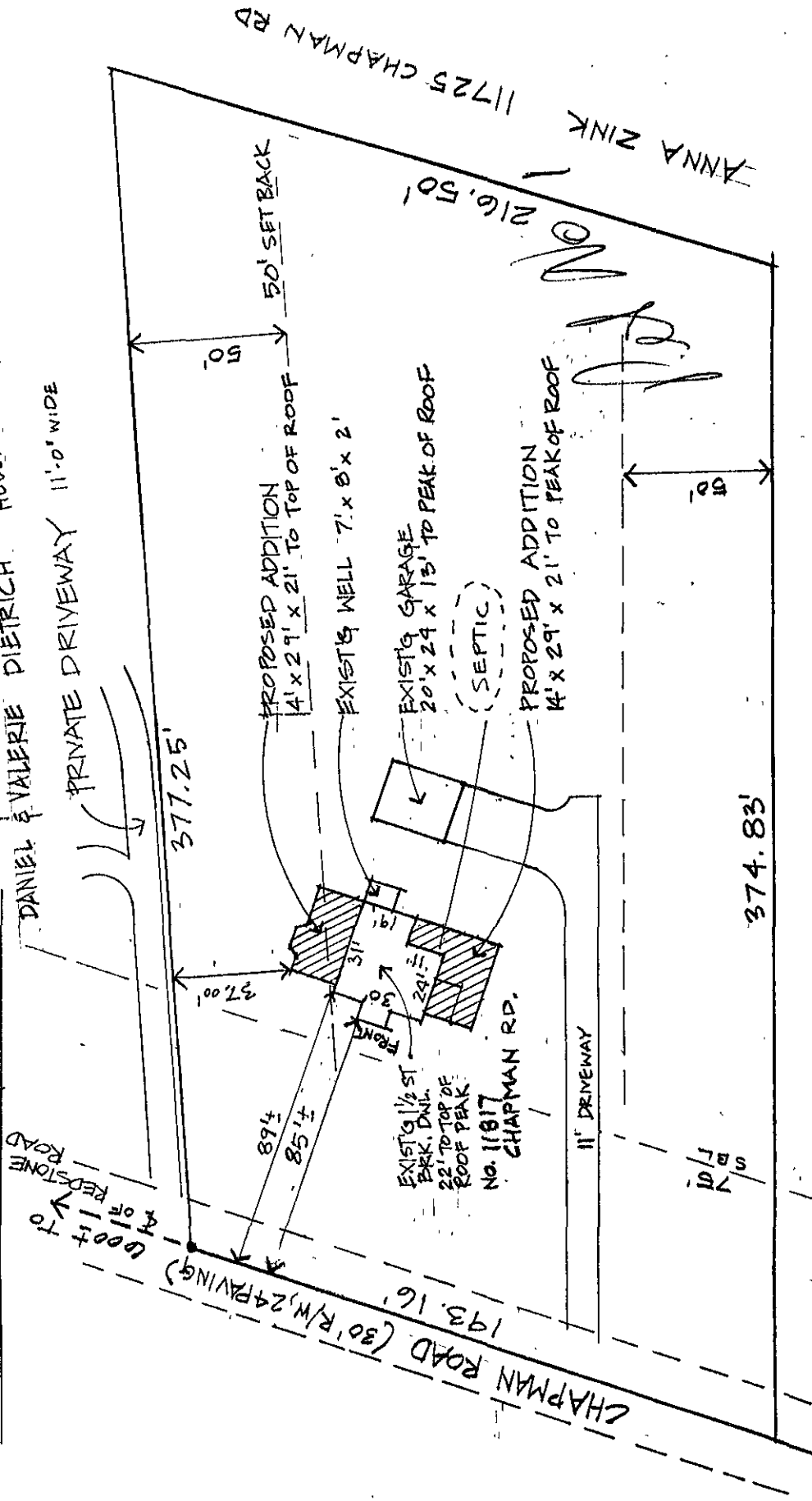
Property Address: 11817 CHAPMAN ROAD

Liber: 10906 Folio: 702

Owner: CAROL McVEY & GREGORY S. McVEY

95-487-A

DANIEL & VALERIE DIETRICH HOUSE NO. 11823 CHAPMAN RD.



date: 6 JUNE 95
prepared by: g.m.

TROBERT & JOAN CALA 11818 CHAPMAN RD.

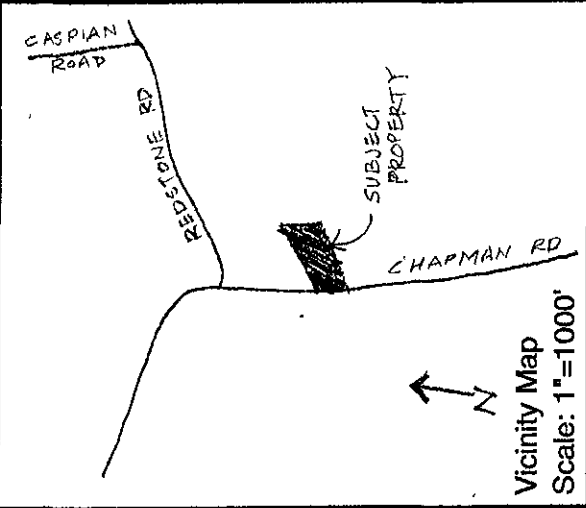
Scale of Drawing: 1"= 50'

LOCATION INFORMATION

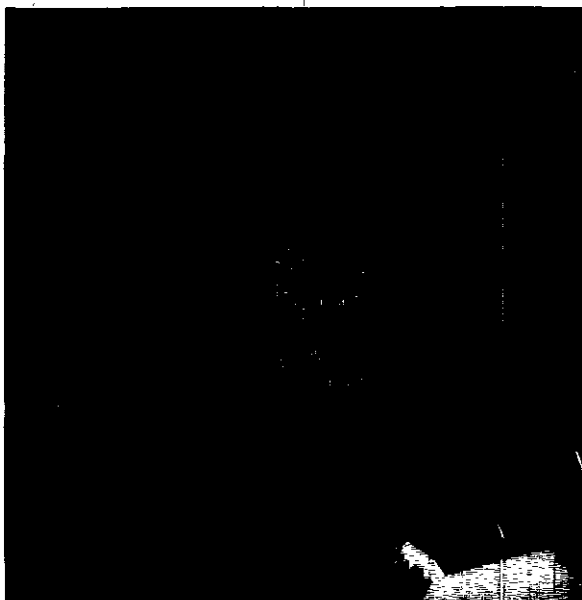
Election District: 11th
Councilmanic District: 5th
ZONE: RC-5
1"=200 scale map #: K-14
Lot size: 1.78 ACRES
Sewer: PRIVATE
Water: PRIVATE
Chesapeake Bay Critical Area: NO
Prior Zoning hearings: NONE

Zoning office USE ONLY!

reviewed by: *g.m.* ITEM#: 492 CASE#:



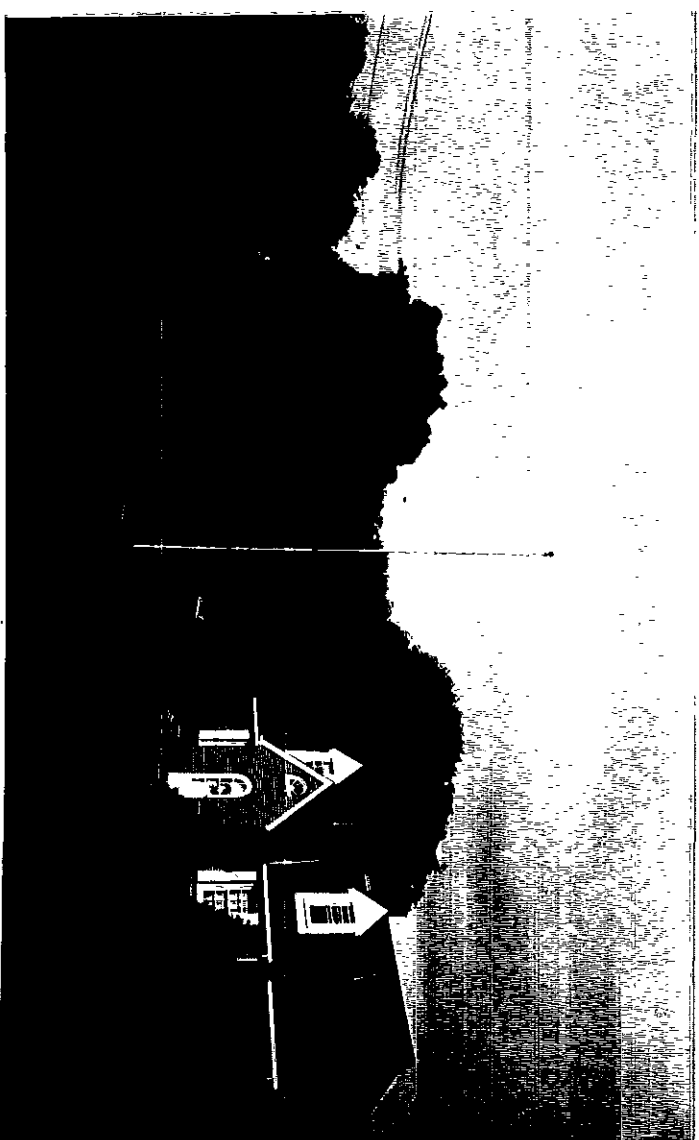
12/11



95-487-A

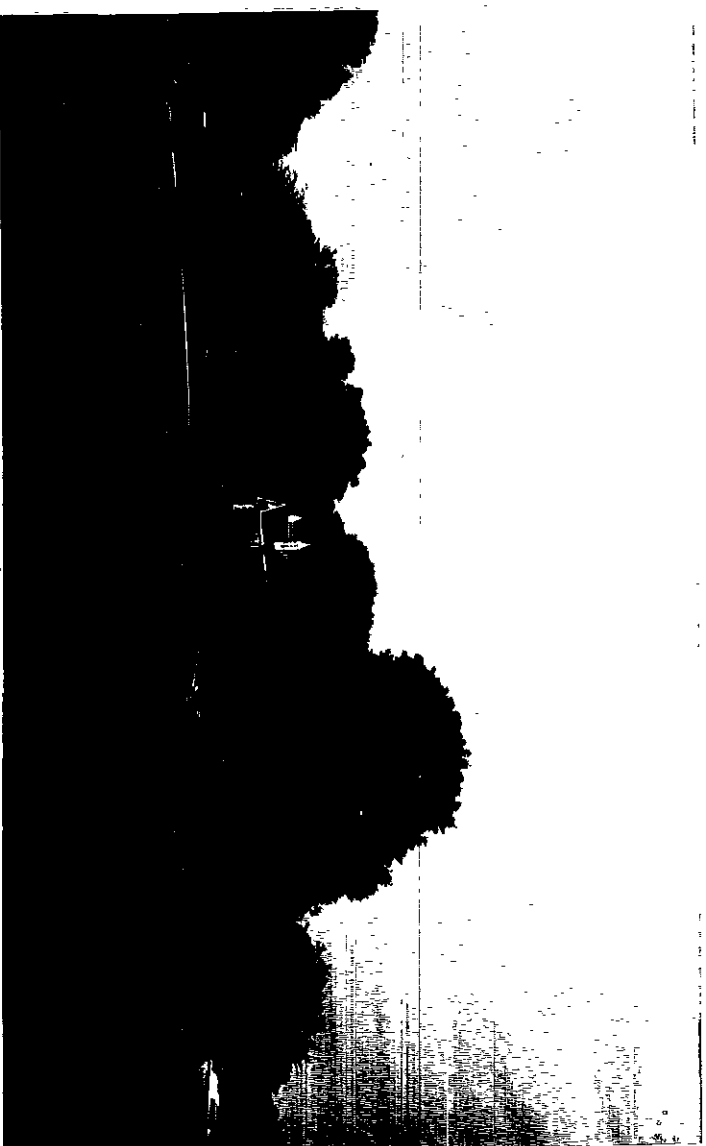


View of house from across the street



View looking toward northern adjacent property neighbor

**Sheet 1: Photographs
11817 Chapman Road**



View looking toward northern adjacent property neighbor.

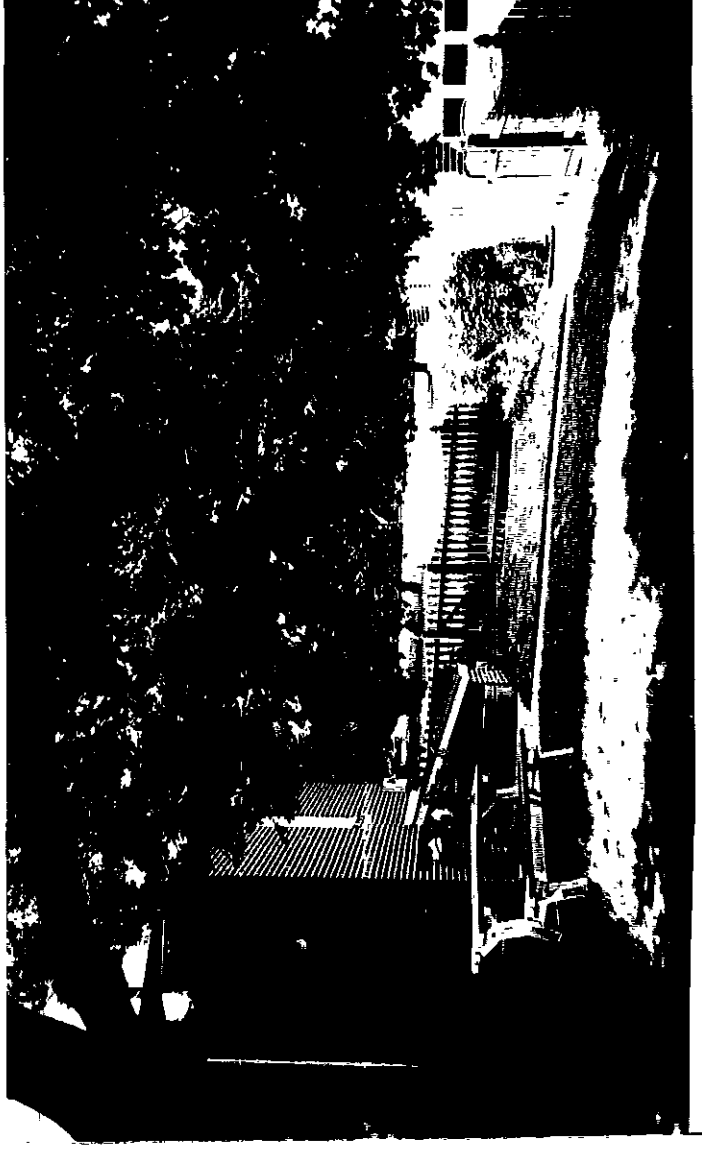


View showing adjacency of house to garage



View showing access door and window of garage

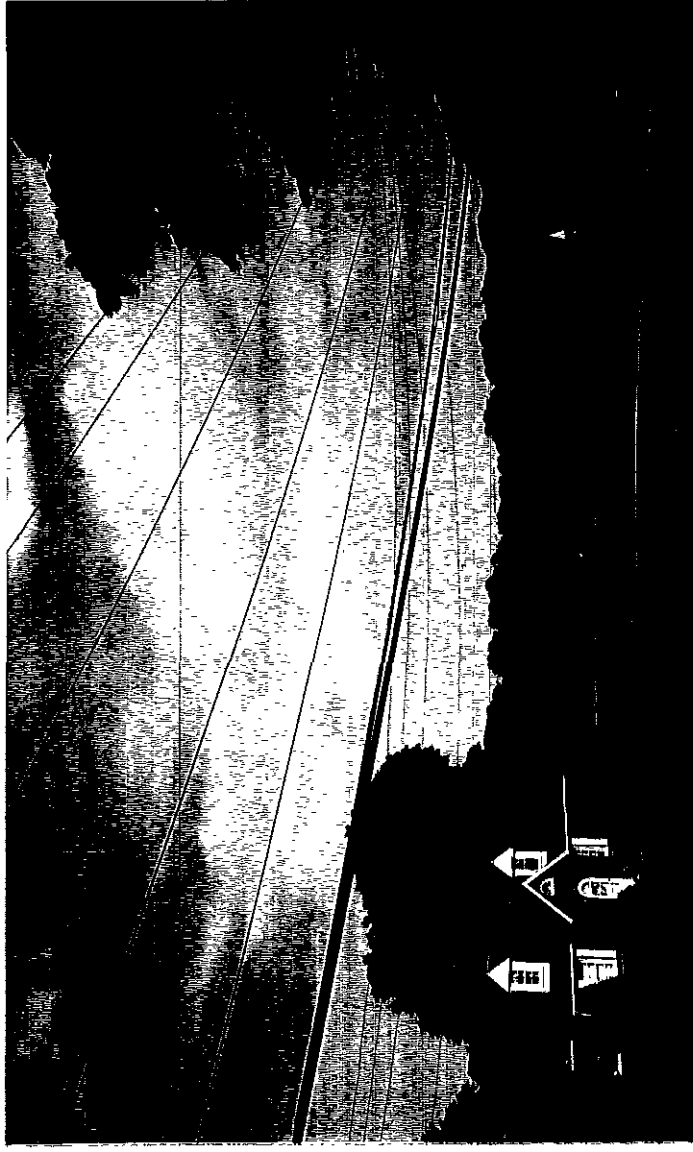
**Sheet 2: Photographs
11817 Chapman Road**



View showing rear yard to be preserved for family use



View showing well room - the addition should not project over this well



View looking toward southern adjacent property neighbor

**Sheet 3: Photographs
11817 Chapman Road**



View looking south from the house

IN RE: PETITION FOR RESIDENTIAL ZONING VARIANCE
E/S Chapman Road, 600 ft. +/-
S of c/l Redstone Road
11817 Chapman Road
11th Election District
5th Councilmanic District
Gregory S. McVey, et ux
Petitioners

* BEFORE THE ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 95-487-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Gregory S. McVey and Carol C. McVey, his wife, for that property known as 11817 Chapman Road in the Kingsville section of Baltimore County. The Petitioners/property owners herein seek a variance from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (BCZR) to permit a side yard setback of 37 ft., in lieu of the required 50 ft., for an addition, in an R.C.5 zone. The property and relief sought are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should, therefore, be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of

Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 27th day of July, 1995 that the Petition for a Zoning Variance from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (BCZR) to permit a side yard setback of 37 ft., in lieu of the required 50 ft., for an addition, be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmm

-2-

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

July 27, 1995

Mr. and Mrs. Gregory S. McVey
11817 Chapman Road
Kingsville, Maryland 21087

RE: Case No. 95-487-A
Petition for Administrative Zoning Variance
Property: 11817 Chapman Road

Dear Mr. and Mrs. McVey:

Enclosed please find the decision rendered in the above captioned case. The Petition for Zoning Variance has been granted, with restriction.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner

LES:mmm
att.

Printed with Soy-based Ink
on Recycled Paper



Petition for Administrative Variance
to the Zoning Commissioner of Baltimore County

for the property located at 11817 CHAPMAN RD
which is presently zoned R.C.5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1404.3.B.3; BCZR, TO PERMIT A SIDEYARD SETBACK OF 37' FOR A BEDROOM ADDITION IN LIEU OF THE REQUIRED 50'.
of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

See Reason

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contact Person(s)	Legal Owner(s)
(Type or Print Name)	CAROL C. McVEY
Signature	Carol C. McVey
Address	GREGORY SCOTT McVEY
City	Kingsville
State	MD
Zip Code	21087
Phone No.	592-8306
Signature	CAROL McVEY
Address	SAME
City	KINGSVILLE
State	MD
Zip Code	21087
Phone No.	

A Petition Hearing having been requested and/or found to be required as ordered by the Zoning Commissioner of Baltimore County, this case shall be heard on the date of the hearing. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1404.3.B.3; BCZR, TO PERMIT A SIDEYARD SETBACK OF 37' FOR A BEDROOM ADDITION IN LIEU OF THE REQUIRED 50'.
of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

REVIEWED BY JCM DATE 6-28-95
ESTIMATED POSTING DATE 7/9

Printed with Soy-based Ink
on Recycled Paper

ITEM # 492

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/are presently reside at 11817 CHAPMAN RD

KINGSVILLE MD 21087

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

SEE ATTACHED SHEET

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

CAROL C. McVEY
GREGORY SCOTT McVEY

STATE OF MARYLAND, COUNTY OF BALTIMORE, to-wit:

I HEREBY CERTIFY, this 2 day of June 1995, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

CAROL C. McVEY and GREGORY SCOTT McVEY

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

6/2/95

My Commission Expires: 4/1/97

Attached Sheet: Petition for Zoning Variance -11817 Chapman Rd.

This is a request to impede upon the side yard set back at 11817 Chapman Road. Part of the proposed single story addition will need to go into the 50' set back area for a distance of 13'.

* Please note that the existing house is at an angle to the set back line. Therefore only a triangular shaped area of the addition will need to sit within the restricted tract - not the entire addition. The total square footage that will be within the zone is approximately 136 square feet.

The following are the reasons for this petition:

1. Due to accessibility and medical problems of the owner's live-in elderly father, the proposed addition (primarily elderly bedroom and bathing areas) must maintain the same level as the existing dining and living areas.
2. The owner herself, Carol McVey, will be retiring soon and must have the house accessible in her later years.
3. If the addition is placed on the rear yard, the existing well and well-room will need to be demolished and relocated. The well and well room directly abuts the existing rear of the house and is accessed from the basement.
4. The elderly parent's need for times of quiet makes it important that the proposed bedroom and bathroom addition (north side of addition) be acoustically separate from noise that might be generated in the family areas. The configuration of the existing house is such that the more noisy areas (kitchen, backyard, dining, and family areas) are on the south side of the house. The proposed bedroom will be located on the northern side of the house - separate from potential noises.
5. The access door to the garage faces the rear of the house. Access to and from this door requires space for maneuvering and must be maintained. The clearance for this is 6 feet from the face of the garage wall.
6. The backyard, which is used for the family pets and family gatherings must be maintained. The backyard, which is currently sheltered, shady, and private, is very important and necessary at the house. Building into this area would eliminate any private and secluded yard.
7. If the addition were to be built in the rear yard, the view 5-10 feet from the rear window would be a view filled with the garage roof. The slope of the ground, the height of the floor in the existing house, and the height of the garage roof contribute to this undesirable and avoidable view.

11817 Chapman Road

LOCATION:
KINGSVILLE

492

Zoning Description for 11817 Chapman Road

Beginning east side of Chapman Road which is a 30 foot right of way which is 600 +/- feet south of the centerline of Redstone Road, which is 24' wide/ 60' R/W

As recorded in Liber No. 10906, folio 702, as follows, viz:

North 75 degrees 29 minutes 15 seconds East 377.25 feet
South 05 degrees 52 minutes 22 seconds West 216.50 feet
South 79 degrees 11 minutes 40 seconds West 374.83 feet
North 07 degrees 29 minutes 15 seconds East 193.16 feet
to the point of beginning.

Containing 1.78 +/- acres of land.

Also known as 11817 Chapman Road in the
Election District 11th
Councilmanic District 5th

11817 Chapman Road

LOCATION:
KINGSVILLE

492

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE 6-28-95 ACCOUNT

AMOUNT \$ 85.00

RECEIVED FROM Carol C. McVey
11817 Chapman Rd.

FOR Arin V. 50.00

RECEIVED FROM Gregory S. McVey 35.00

VALIDATION OR SIGNATURE OF CARRIER JCM

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

Arnold Jablon
ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 492

Petitioner: Carol McVey

Location: 11817 Chapman Rd. Kingsville, Md. 21087

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Same

ADDRESS: Same

PHONE NUMBER: 592-8306

AJ:995 (Revised 04/09/93)

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

July 13, 1995

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 95-487-A (Item 492)
11817 Chapman Road
E/S Chapman Road, 600' +/- S of c/l Redstone Road
11th Election District - 5th Councilmanic

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

1) Your property should have been posted on or before July 9, 1995. The closing date (July 24, 1995) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reported and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reporting and newspaper advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$50.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon
Arnold Jablon
Director
Department of Permits and Development Management

cc: Carol and Gregory McVey

Printed with Soy-based Ink on Recycled Paper

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

July 20, 1995

Mr. and Mrs. Gregory S. McVey
11817 Chapman Road
Kingsville, Maryland 21087

RE: Item No.: 492
Case No.: 95-487-A
Petitioner: G. S. McVey, et ux

Dear Mr. and Mrs. McVey:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on June 28, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,
W. Carl Richards, Jr.
W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

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BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: July 12, 1995

FROM: Pat Keller, Director
Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):
Item Nos. 479, 481, 484, 491, 492, 495, 4 and 6

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: *Jeffrey Long*

Division Chief: *Pat Keller*

PK/JL

ITEM479/PZONE/ZAC1

Maryland Department of Transportation
State Highway Administration

Ms. Joyce Watson
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: 492 (JLM)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

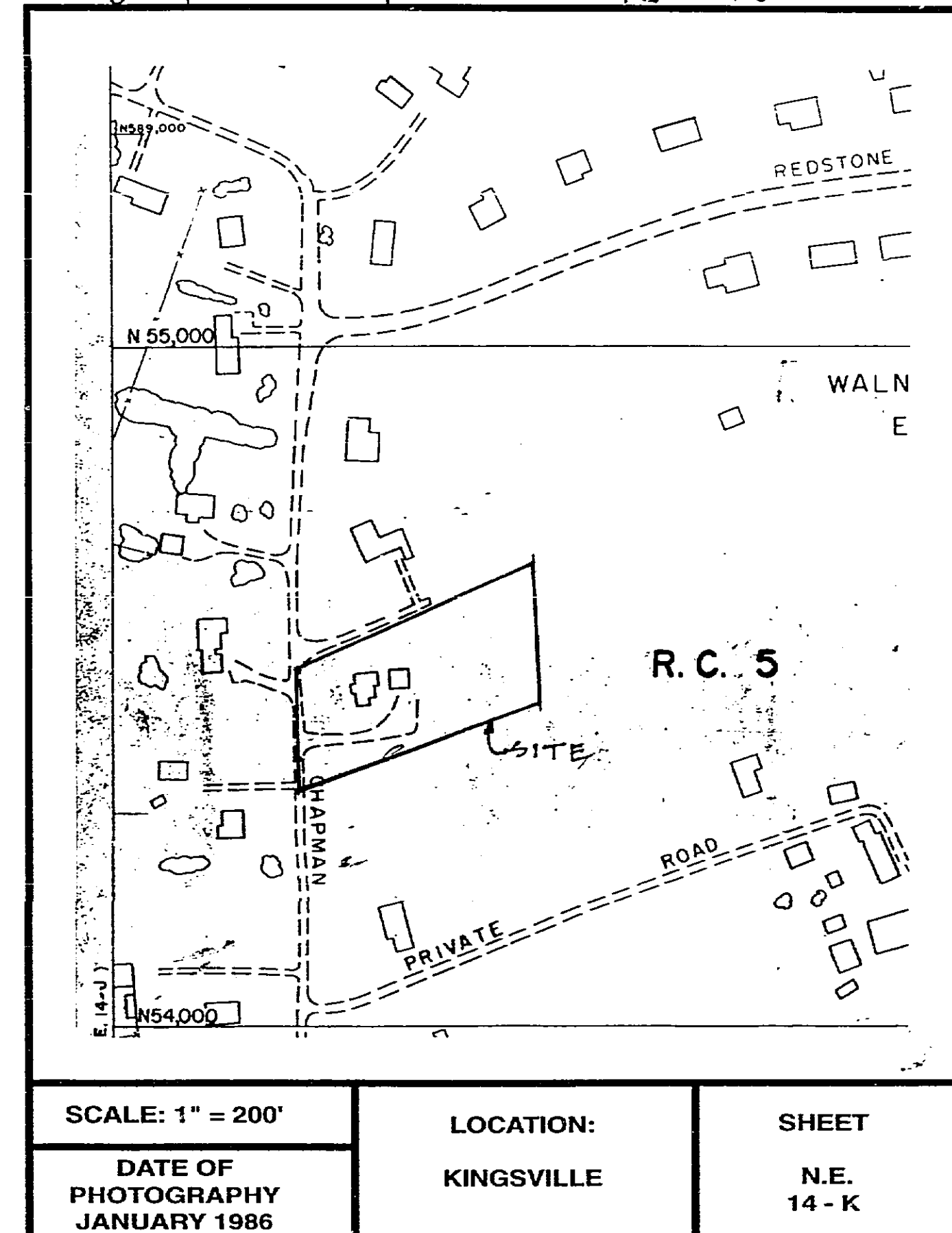
Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,
Bob Small
for Ronald Burns, Chief
Engineering Access Permits
Division

BS/

Zoning Map 11817 Chapman Road 95-487-A



Aerial Photograph 11817 Chapman Road 95-487-A



No.

NAME

NO.

APPLICATION FOR ADMINISTRATIVE VARIANCE 11817 Chapman Road

- (3) Copies of Petition with Affidavit form
• **Complete Forms**
 - (6) Copies of Reasons
 - ✓ (12) Copies of plat drawn at 1" = 50'
 - ✓ (3) Copies of the Property Description
 - ✓ (1) Copy of Official Zoning Map with property outlined
 - ✓ (1) Copy of the Advertising and Posting Requirements Form
 - ✓ (1) Copy of the Aerial Photograph with property outlined
 - ✓ (2) Sleeves of Photographs indicating existing conditions
- Filing Fees: \$85.00
• **Money Order**

3:00 PM
28 JUL 95

View looking toward northern adjacent property neighbor.
View looking toward southern adjacent property neighbor.
View of house standing on the edge of the lawn.
View of house from across the street.
View of the house
View showing adjacency of house to garage

492

